

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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Pedro Martinez, *Individually and as the representative of a
class of similarly situated persons,*

Plaintiff,

-against-

Pure Green NYC Wholesale Corp.,

Defendants.
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Case No.: 23-cv-04247

Hon. Nina R. Morrison, U.S.D.J.

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed Memorandum of Law dated May 17, 2024, together with the Affidavit of Ross Franklin (the “Franklin Aff.”), Defendant Pure Green NYC Wholesale Corp. (“Pure Green”, or the “Defendant”), by and through their undersigned counsel, Levin-Epstein & Associates, P.C., will move this Court, the Honorable District Judge Nina R. Morrison presiding, for an order dismissing the complaint filed on June 8, 2023 [Dckt. No. 1] (the “Complaint, or the “*Compl*”) of Plaintiff Pedro Martinez (the “Plaintiff”), pursuant to Federal Rules of Civil Procedure (“Fed.R.Civ.P.”) 12(b)(1) (the “Motion to Dismiss”), for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, must be served on or before June 17, 2024, and Defendant’s reply must be served on or before July 17, 2024.

Dated: New York, New York
May 17, 2024

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi
Jason Mizrahi, Esq.
60 East 42nd Street, Suite 4700
New York, NY 10165
Tel. No.: (212) 792-0048
Email: Jason@levinepstein.com
Attorneys for Defendant